

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE :  
 :  
HUMBERTO J. GOMEZ : CHAPTER 13  
Debtor :  
\*\*\*\*\*  
M&T BANK :  
 :  
Movant, :  
 :  
vs. :  
HUMBERTO J. GOMEZ : CASE NO. 5-18-05119  
 :  
Respondents. :  
\*\*\*\*\*

**DEBTOR'S ANSWER TO MOTION FOR RELIEF FROM  
AUTOMATIC STAY UNDER SECTION 362**

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AND NOW COMES, Humberto J. Gomez, the Debtor, and files an Answer to M&T Bank's  
Motion for Relief From the Automatic Stay:

1. Humberto J. Gomez (hereinafter the "Debtor") filed a Chapter 13 bankruptcy proceeding with the U.S. Bankruptcy Court for the Middle District of Pennsylvania.
2. Movant alleges that Debtor have failed to make post-petition mortgage payments.
3. Debtor proposes to make the following payments to resolve the default: \$625.00 on May 3, 2019, \$625.00 on May 10, 2019, \$625.00 on May 17, 2019 and \$625.00 on May 24, 2019.
4. Movant is not entitled to relief from the automatic stay as the arrearage amount due has been paid or shall be paid through the Chapter 13 Plan, and/or a six (6) month Stipulation, and, therefore, the Movant is adequately protected.

WHEREFORE, the Debtor respectfully requests that Movant's Motion for Relief from the Automatic Stay be denied.

Respectfully submitted,

Date: May 6, 2019

/s/Tullio DeLuca  
Tullio DeLuca, Esquire  
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IN RE

HUMBERTO J. GOMEZ

Debtor

CHAPTER 13

M&T BANK

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Respondents.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on May 6, 2019, he caused a true and correct copy of Debtor's Answer to M&T Bank's Motion for Relief from the Automatic Stay to be served Via First Class United States Mail, Postage Pre-paid in the above-referenced case, on the following:

Charles J. DeHart, III, Esq. at [dehartstaff@ramapo.com](mailto:dehartstaff@ramapo.com)

James C. Warmbrodt, Esq. at [jwarmbrodt@kmlawgroup.com](mailto:jwarmbrodt@kmlawgroup.com)

Dated: May 6, 2019

/s/Tullio DeLuca  
Tullio DeLuca, Esquire